

Remarks

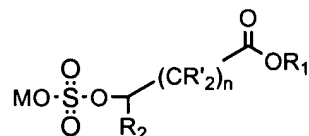
Claims 34 and 37-39 are pending the application.

Claim 34 has been amended. Support for the claim amendment can be found throughout the application, including the claims as originally filed. Importantly, no new matter has been added to the claims. The amendments to the claims should not be construed to be an acquiescence to any of the rejections. The amendments to the claims are being made solely to expedite the prosecution of the above-identified application. The Applicant reserves the right to further prosecute the same or similar claims in subsequent patent applications claiming the benefit of priority to the instant application. 35 USC § 120.

Response to Rejections under 35 U.S.C. 102(b)

Claims 34 and 37 stand rejected under 35 U.S.C. 102(b) based on the Examiner's contention that they are anticipated by Cho (U.S. Patent No. 5,366,665). The Applicants respectfully traverse this rejection.

Cho discloses personal care products comprising a compound of the following formula:



wherein, in part, R₁ is a straight chain alkyl group having at least 8 carbons.

The present invention relates to, in part, a coating comprising an effective amount of an anti-fouling compound of structure 1. In structure 1 in claim 34, "Z" corresponds to the alkyl ester moiety disclosed in Cho. In order for Cho to anticipate claims 34 and 37, the definition of Z would have to include a branched or unbranched alkyl group substituted with an alkoxy carbonyl. Claim 34, as amended, does not include alkoxy carbonyl as a possible substituent when Z is substituted. Therefore, Cho does not anticipate claims 34 and 37 as amended.

Accordingly, the Applicants respectfully request the withdrawal of the 35 U.S.C. 102(b) rejection of claims 34 and 37.

Response to Objection of Claims

Claims 38 and 39 were objected to by the Examiner for being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Applicants respectfully submit that the independent base claim as amended is now in condition for allowance and therefore so are claims 38 and 39.

Accordingly, the Applicants respectfully request the withdrawal of the objection to claims 38 and 39.

Fees

The Applicants believe no fee is due in connection with the filing of this paper. Nevertheless, the Director is hereby authorized to charge any required fee to our Deposit Account, **06-1448**.

Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Agent would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
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